

STATE OF LOUISIANA PARISH OF OUACHITA 4TH JUDICIAL DISTRICT

MONA CARLETTE BROWDER and
FREDDIE BROWDER

FILED: OCT 15 2020

VS. 20-2749

WALMART, INC. D/B/A
SAM'S STORES, et. al


Dy. Clerk of Court

PETITION FOR DAMAGES

The petition of MONA CARLETTE BROWDER and FREDDIE BROWDER, both of whom are residents and domiciliaries of Jackson Parish, Louisiana, respectfully represent that:

1.

Made defendant herein is:

Walmart, Inc. a foreign corporation authorized to business in the State of Louisiana with its registered office and principal business address in Louisiana in Baton Rouge Louisiana.

RECEIVED
100 OCT 1 2020
CLERK OF COURT

Kiterra (Last Name Unknown), believed to be a resident and domiciliary of Ouachita Parish, Louisiana, and at all times pertinent acting within the course and scope of her employment with defendant Walmart, Inc.

2.

On the 23rd day of October, 2019, plaintiff Mona Carlette Browder, was shopping in the Sam's Club location of the defendant in Ouachita Parish, Louisiana.

3.

Plaintiff utilizing her Sam's Club application on her phone, placed several items in her shopping cart, including paper plates which were on clearance. The paper plates would not scan with the correct price so plaintiff went to the front of the store for assistance from a manager who is regularly stationed in the front of the store who directed her to defendant Kiterra, operating a cash register.

4.

When Kiterra was able to correctly scan the paper plates, Kiterra mentioned that she wanted some, too, but was unable to leave her register to get them. Plaintiff volunteered to get the plates for Kiterra and went to the back of the store for that purpose.

5.

While Plaintiff was getting the plates for Kiterra, Kiterra was assisting another customer

with checking out . While checking out that customer, Kiterra picked up a large bottle of green dish washing liquid, opening same when she did and spilling some on the floor. Upon returning to the checkout area, approximately ten minutes after she left, Plaintiff Mona Carlette Browder slipped and fell in the green liquid which was lying on the grey floor of the Sam's Club Store.

6.

Plaintiff Mona Carlette Browder fell on her left knee. As a result of the fall, Plaintiff suffered a torn meniscus which required surgery and the fall aggravated a pre existing condition in her knee which will require total knee replacement. Plaintiff has suffered greatly since the accident with a swollen knee. The knee has caused great physical and emotional pain and suffering and has prevented her from taking part in many normal activities and routines. Mona Carlette Browder's husband, Plaintiff Freddie Browder, has suffered the loss of society and services from his wife.

7.

As a result of the accident Mona Carlette Browder was operated on once and expects a second surgery. She spent many hours in physical rehabilitation and has incurred many medical expenses including the following from The Orthopaedic Clinic of Monroe. Mona Carlette Browder will be required to take anti inflamatories and pain medicetion for the rest of her life.

8.

As a result of the accident Freddie Browder has suffered great emotional distress and the loss of services and society of his wife including the loss of his great services in helping maintain the marital domicile.

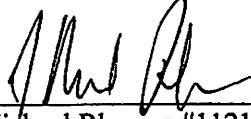
9.

The accident complained of herein was due to the negligence of Kiterra and other officers, agents and employees of defendant Walmart, Inc. in the following respects:

1. Kiterra handling a bottle of slick, green substance in such a manner so as to allow the cap to become loose, spilling the contents in a high traffic area.
2. Kiterra not observing that the substance was on the floor for an extended period of time.
3. The managers assisting checkers in the front of the store neither observing the spill nor observing the substance on the floor.
4. The store not having in place a regular system of checking for spills in the checkout

area, a high traffic, high spill potential area.

Wherefore petitioners pray that there be judgment herein in their favor and against the defendant for a sum reasonable in the premises to compensate petitioners for their medical expenses, loss of services and society, physical injuries, mental and emotional distress including pain and suffering, past and future, all costs of these proceedings and legal interest from date of judicial demand.



J. Michael Rhymes #11212
Attorney at Law
1005 North Third Street
Monroe, LA 71201
(318) 388-4500 - telephone
Email: jmrhymes@gmail.com

PLEASE SERVE:

Kiterra (last name unknown)
Checker at Sam's Club Store Number 8237
Frontage Road
Monroe, LA

and

Walmart, Inc.
Through its registered agent for service of process
CT Corporation System
3867 Plaza Tower Drive
Baton Rouge, LA 70816



CITATION

**MONA CARLETTE BROWDER,
FREDDIE BROWDER
VS
WALMART, INC.**

**DOCKET NUMBER: C-20202749
SEC: C3
STATE OF LOUISIANA
PARISH OF OUACHITA
FOURTH JUDICIAL DISTRICT COURT**

EAST BATON ROUGE PARISH

TO:

**WALMART, INC.
(CT CORPORATION)
(REGISTERED AGENT FOR SERVICE OF PROCESS)
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816**

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within FIFTEEN (15) days after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Ouachita Parish Court House, 301 South Grand, Monroe, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within FIFTEEN (15) days, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Ouachita Parish, on this OCTOBER 15, 2020.

OUACHITA PARISH CLERK OF COURT

Also attached are the following:
PETITION FOR DAMAGES

By: _____
Deputy Clerk

A handwritten signature in black ink, appearing to read "S. P. Agard".

FILED BY: J MICHAEL RHYMES #11212

ORIGINAL

SERVICE COPY

FILE COPY



CT Corporation

**Service of Process
Transmittal**

10/23/2020
CT Log Number 538449459

TO: Kim Lundy Service Of Process
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: **Process Served in Louisiana**

FOR: WALMART INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Browder Mona Carlette and Freddie Browder, Pltfs, vs. Walmart, Inc., etc., et al., Dfts.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation, Petition

COURT/AGENCY: OUACHITA; 4TH JUDICIAL DISTRICT COURT, LA
Case # C20202749

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 10/23/2019 - Ouachita Parish, Louisiana

ON WHOM PROCESS WAS SERVED: C T Corporation System, Baton Rouge, LA

DATE AND HOUR OF SERVICE: By Process Server on 10/23/2020 at 09:05

JURISDICTION SERVED : Louisiana

APPEARANCE OR ANSWER DUE: Within 15 days after receipt

ATTORNEY(S) / SENDER(S): J. Michael Rhymes
1005 North Third Street
Monroe, LA 71201
318-388-4500

ACTION ITEMS: CT will retain the current log
Image SOP
Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

SIGNED:
ADDRESS: C T Corporation System
1999 Bryan St Ste 900
Dallas, TX 75201-3140

For Questions: 877-564-7529
MajorAccountTeam2@wolterskluwer.com

Page 1 of 1 / SP

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.



OPC.CV.6220669

PD

CITATION

MONA CARLETTE BROWDER,
FREDDIE BROWDER
VS
WALMART, INC.

DOCKET NUMBER: C-20202749
SEC: C3
STATE OF LOUISIANA
PARISH OF OUACHITA
FOURTH JUDICIAL DISTRICT COURT

EAST BATON ROUGE PARISH

TO:

WALMART, INC.
(CT CORPORATION)
(REGISTERED AGENT FOR SERVICE OF PROCESS)
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within FIFTEEN (15) days after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Ouachita Parish Court House, 301 South Grand, Monroe, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within FIFTEEN (15) days, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Ouachita Parish, on this OCTOBER 15, 2020.

OUACHITA PARISH CLERK OF COURT

Also attached are the following:
PETITION FOR DAMAGES

By: PAYTON DEA
Deputy Clerk

A TRUE COPY

DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH

FILED BY: J MICHAEL RHYMES #11212

_____ ORIGINAL

_____ SERVICE COPY

_____ FILE COPY

STATE OF LOUISIANA PARISH OF OUACHITA 4TH JUDICIAL DISTRICT

MONA CARLETTE BROWDER and
FREDDIE BROWDER

OCT 15 2020

FILED: _____

VS. 20-2749

WALMART, INC. D/B/A
SAM'S STORES, et. al

PAYTON DF

Dy. Clerk of Court

PETITION FOR DAMAGES

The petition of MONA CARLETTE BROWDER and FREDDIE BROWDER, both of whom are residents and domiciliaries of Jackson Parish, Louisiana, respectfully represent that:

1.

Made defendant herein is:

Walmart, Inc. a foreign corporation authorized to business in the State of Louisiana with its registered office and principal business address in Louisiana in Baton Rouge, Louisiana.

Kiterra (Last Name Unknown), believed to be a resident and domiciliary of Ouachita Parish, Louisiana, and at all times pertinent acting within the course and scope of her employment with defendant Walmart, Inc.

2.

On the 23rd day of October, 2019, plaintiff Mona Carlette Browder, was shopping in the Sam's Club location of the defendant in Ouachita Parish, Louisiana.

3.

Plaintiff utilizing her Sam's Club application on her phone, placed several items in her shopping cart, including paper plates which were on clearance. The paper plates would not scan with the correct price so plaintiff went to the front of the store for assistance from a manager who is regularly stationed in the front of the store who directed her to defendant Kiterra, operating a cash register.

4.

When Kiterra was able to correctly scan the paper plates, Kiterra mentioned that she wanted some, too, but was unable to leave her register to get them. Plaintiff volunteered to get the plates for Kiterra and went to the back of the store for that purpose.

5.

While Plaintiff was getting the plates for Kiterra, Kiterra was assisting another customer

RECEIVED
OUACHITA PARISH CLERK OF COURT
2020 OCT 15 PM 12:23

with checking out . While checking out that customer, Kiterra picked up a large bottle of green dish washing liquid, opening same when she did and spilling some on the floor. Upon returning to the checkout area, approximately ten minutes after she left, Plaintiff Mona Carlette Browder slipped and fell in the green liquid which was lying on the grey floor of the Sam's Club Store.

6.

Plaintiff Mona Carlette Browder fell on her left knee. As a result of the fall, Plaintiff suffered a torn meniscus which required surgery and the fall aggravated a pre existing condition in her knee which will require total knee replacement. Plaintiff has suffered greatly since the accident with a swollen knee. The knee has caused great physical and emotional pain and suffering and has prevented her from taking part in many normal activities and routines. Mona Carlette Browder's husband, Plaintiff Freddie Browder, has suffered the loss of society and services from his wife.

7.

As a result of the accident Mona Carlette Browder was operated on once and expects a second surgery. She spent many hours in physical rehabilitation and has incurred many medical expenses including the following from The Orthopaedic Clinic of Monroe. Mona Carlette Browder will be required to take anti inflamatories and pain medication for the rest of her life.

8.

As a result of the accident Freddie Browder has suffered great emotional distress and the loss of services and society of his wife including the loss of his great services in helping maintain the marital domicile.

9:

The accident complained of herein was due to the negligence of Kiterra and other officers, agents and employees of defendant Walmart, Inc. in the following respects:

1. Kiterra handling a bottle of slick, green substance in such a manner so as to allow the cap to become loose, spilling the contents in a high traffic area.
2. Kiterra not observing that the substance was on the floor for an extended period of time.
3. The managers assisting checkers in the front of the store neither observing the spill nor observing the substance on the floor.
4. The store not having in place a regular system of checking for spills in the checkout

area, a high traffic, high spill potential area.

Wherefore petitioners pray that there be judgment herein in their favor and against the defendant for a sum reasonable in the premises to compensate petitioners for their medical expenses, loss of services and society, physical injuries, mental and emotional distress including pain and suffering, past and future, all costs of these proceedings and legal interest from date of judicial demand.

J. Michael Rhymes
J. Michael Rhymes #11212
Attorney at Law
1005 North Third Street
Monroe, LA 71201
(318) 388-4500 - telephone
Email: jmrhymes@gmail.com

PLEASE SERVE:

Kiterra (last name unknown)
Checker at Sam's Club Store Number 8237
Frontage Road
Monroe, LA

and

Walmart, Inc.
Through its registered agent for service of process
CT Corporation System
3867 Plaza Tower Drive
Baton Rouge, LA 70816

CERTIFIED
TRUE COPY
OCX 15-2020
BY *[Signature]*
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA